

MAY 08 2006

<b>FACSIMILE TRANSMITTAL FORM</b>	Application Number	10/727026
	Filing Date	December 2, 2003
	First Named Inventor	Ouderkirk, Andrew J.
	Art Unit	2879
	Examiner Name	Quarterman, Kevin J.
Fax: 571-273-8300	Attorney Docket Number	59417US002
Total Number of Pages in This Submission: 4		
Date: May 8, 2006	Attorney for Applicant: Stephen C. Jensen	

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Amendment Transmittal	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Appeal Communication to Technology Center (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Information Disclosure Statement	<input checked="" type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosures:
<input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR § 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts under 35 USC 371 in US Designated/ Elected Office (DO/EO/US)	<input type="checkbox"/> Request for Refund  <input type="checkbox"/> Request for Continued Examination (RCE) Transmittal	
<input type="checkbox"/> Drawings	<input type="checkbox"/> After Allowance Communication to Technology Center	
<b>REMARKS:</b>		

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION  
MAY CONTAIN CONFIDENTIAL OR LEGALLY PRIVILEGED INFORMATION  
INTENDED ONLY FOR THE PERSON OR ENTITY NAMED BELOW.

If you are not the intended recipient, please do not read, use, disclose, distribute or copy this transmission.  
If this transmission was received in error, please immediately notify me by telephonedirectly at 651-736-3369 or  
651-733-1500, and we will arrange for its return at no cost to you.

RECEIVED  
CENTRAL FAX CENTER

MAY 08 2006

32692

Customer Number

Patent

Case No.: 59417US002

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: OUDERKIRK, ANDREW J.  
Application No.: 10/727026 Group Art Unit: 2879  
Filed: December 2, 2003 Examiner: Quarterman, Kevin J.  
Title: PHOSPHOR BASED LIGHT SOURCE HAVING A NON-PLANAR LONG PASS  
REFLECTOR AND METHOD OF MAKING

TERMINAL DISCLAIMER UNDER 37 CFR § 1.321

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-8300.

May 8, 2006  
DateAndrew Newhouse  
Signed by: Andrew Newhouse

Dear Sir:

Petitioner, 3M Innovative Properties Company, a corporation of the State of Delaware having a place of business at 3M Center, St. Paul, MN, represents that it is the exclusive owner of the entire interest in the above-identified application (the "Subject Application") by virtue of an assignment recorded at Reel 014778, Frame 0056, on December 2, 2003. Petitioner further represents that it is the exclusive owner of the entire interest in a pending second Application No. 10/727072, filed December 2, 2003, (the "Second Application") by virtue of an assignment recorded at Reel 014778, Frame 0967, on December 2, 2003. As used herein, "Subject Patent" refers to a patent granted on the Subject Application, and "Second Patent" refers to a patent granted on the Second Application.

Petitioner disclaims the terminal part of any Subject Patent which would extend beyond the expiration date of the full statutory term, as defined in 35 USC §§ 154 to 156 and 173 and as shortened by any terminal disclaimer filed prior to the grant of any Second Patent, of any Second Patent. Petitioner hereby agrees that any Subject Patent shall be enforceable only for and during

Application No.: 10/727026

Case No.: 59417US002

such period that the legal title to such patent and any Second Patent are commonly owned. This agreement is to run with any Subject Patent and shall be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any Subject Patent that would extend to the expiration date of the full statutory term as defined in 35 USC §§ 154 to 156 and 173 of any Second Patent, as shortened by any terminal disclaimer filed prior to the grant of such Second Patent, in the event such Second Patent: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321 after grant; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to the grant of such Second Patent.

Documents establishing the chain of title of the Subject Application and of the Second Application (including the aforementioned assignments and recording locations) have been reviewed and I certify that, to the best of my knowledge and belief, title is in Petitioner.

I declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 CFR § 1001 and that such willful false statements may jeopardize the validity of the Subject Application or any patent issuing thereon.

Please charge the fee provided in 37 CFR § 1.20(d) and, if necessary, charge any additional fees or credit any overpayment to Deposit Account No. 13-3723. One copy of this sheet marked duplicate is also enclosed.

Respectfully submitted,

May 8, 2006  
Date

By: Stephen C. Jensen  
Stephen C. Jensen, Reg. No.: 35,207  
Telephone No.: 651-736-3369

Office of Intellectual Property Counsel  
3M Innovative Properties Company  
Facsimile No.: 651-736-3833

Application No.: 10/727026

Case No.: 59417US002

such period that the legal title to such patent and any Second Patent are commonly owned. This agreement is to run with any Subject Patent and shall be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any Subject Patent that would extend to the expiration date of the full statutory term as defined in 35 USC §§ 154 to 156 and 173 of any Second Patent, as shortened by any terminal disclaimer filed prior to the grant of such Second Patent, in the event such Second Patent: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321 after grant; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to the grant of such Second Patent.

Documents establishing the chain of title of the Subject Application and of the Second Application (including the aforementioned assignments and recording locations) have been reviewed and I certify that, to the best of my knowledge and belief, title is in Petitioner.

I declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 CFR § 1001 and that such willful false statements may jeopardize the validity of the Subject Application or any patent issuing thereon.

Please charge the fee provided in 37 CFR § 1.20(d) and, if necessary, charge any additional fees or credit any overpayment to Deposit Account No. 13-3723. One copy of this sheet marked duplicate is also enclosed.\*

Respectfully submitted,

May 8, 2006  
Date

By: Stephen C. Jensen  
Stephen C. Jensen, Reg. No.: 35,207  
Telephone No.: 651-736-3369

Office of Intellectual Property Counsel  
3M Innovative Properties Company  
Facsimile No.: 651-736-3833